

**ORDINANCE NO. 2005-51-CMDB**

Comment [Watermark1]:

Draft  
2d reading amendments  
12072005

**AMENDING TIPPECANOE COUNTY CODE  
ADDING NEW CHAPTER/SECTION 155.18**

**ESTABLISHING UNIFORM FEE SCHEDULE FOR  
TIPPECANOE COUNTY DRAINAGE BOARD  
AND SURVEYOR'S DEPARTMENT**

**WHEREAS**, the members of the Board of Commissioners of the County of Tippecanoe, in the State of Indiana (Commissioners) are also members of the Tippecanoe County Drainage Board (Drainage Board); and

**WHEREAS**, Indiana Code 36-9-27-73 authorizes the Tippecanoe County Drainage Board to establish and collect reasonable fees and costs from petitioners in drainage proceedings; and,

**WHEREAS**, 327 IAC 15-13 (Rule 13) requires Tippecanoe County to develop and implement a comprehensive Stormwater Quality Management Plan (SWQMP) including the enforcement of requirements for storm water discharges from construction activities under 327 IAC 15-5 (Rule 5); and

**WHEREAS**, The Board of Commissioners of the County of Tippecanoe, State of Indiana, and the Tippecanoe County Drainage Board have enacted the Comprehensive Stormwater Management Ordinance of Tippecanoe County, Ordinance 2005-04-CM, for the purpose of implementing such programs and desire to establish a uniform schedule of fees for such implementation and enforcement.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of the County of Tippecanoe, State of Indiana, and the Tippecanoe County Drainage Board, that the Tippecanoe County Code be amended to add a new Section 155.18 establishing a Uniform Fee Schedule for the Tippecanoe County Drainage Board and Surveyor's Department reading as follows:

**UNIFORM FEE SCHEDULE FOR THE TIPPECANOE COUNTY  
DRAINAGE BOARD AND SURVEYOR'S DEPARTMENT**

**1. Stormwater Management Permits.**

- A. The fees for review of drainage submittals, preliminary plans, and/or construction plans and accompanying information and data in accordance with the Tippecanoe County Stormwater Management Ordinance, (Ordinance 2005-04-CM) shall be as follows:

**Base Permit Fees**

<b>Acreage</b>	<b>Residential</b>	<b>Commercial</b>	<b>Industrial</b>
0 up to less than ½	\$150	\$250	\$250
Equal to or greater than ½ up to less than 1	\$200	\$300	\$300
Equal to or greater than 1 up to less than 3	\$350	\$500 + \$40 per acre	\$500 + \$40 per acre
Equal to or greater than 3 up to less than 5	\$500	\$750 + \$40 per acre	\$750 + \$40 per acre
Equal to or greater than 5	\$500 + \$20 per acre	\$750 + \$40 per acre	\$750 + \$40 per acre

Utility Work Annual Certification Processing Fee: \$50

The Base Permit Fees set forth above shall include three on-site inspections, administrative fees, and three annual post-construction inspections. The foregoing fees shall be charged for each phase of multi-phased projects.

- B. The following fees shall be charged for services required in addition to those included in the foregoing Base fees:

**Additional Permit Fees**

Additional Inspections	During the construction process resulting from inadequate site conditions or additional post-construction inspections	\$50 each
Grading Plan Revisions and Amended Notices of Intent Engineering Review (not required for single lot review)	For each additional revision or amended notice Out-sourced	\$25 each  Actual cost per Ordinance 2005-04-CM.

**2. Outlets.**

The County Surveyor's Office shall charge the following application fees to any person, partnership, corporation, or any other entity filing an application to discharge private or mutual drains into a regulated drain under the jurisdiction of the County Drainage Board:

Direct Outlets:

Individual Residences	\$ 75
Subdivisions, Multi-family, or Commercial uses	\$150

Indirect Outlets:

Subdivision, Multi-family, or Commercial uses	\$150
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These rates shall be charged for both permanent outlets and temporary outlets.

No fee shall be required for those discharges to be made indirectly to a regulated drain for individual residential lots and agricultural drains. However, any such indirect discharge within the drainage shed of a regulated drain shall be required to file an application.

3. **Crossings**

The County Surveyor's Office shall charge the following application fees to any person, partnership, corporation, or association who applies for authority to cross under, over, or through a regulated drain, with any structure of improvement.

Individual Residences	\$ 75
Subdivisions, Multi-family, or commercial uses	\$150

These rates shall be charged for both permanent crossings and temporary crossings.

4. **Encroachments**

The County Surveyor's Office shall charge the following application fees to any person, partnership, corporation, or association filing an application for an Encroachment Agreement pursuant to Indiana Code 36-9-27-33:

<u>Subdivision</u> : Per each secondary plat	\$100
<u>Individual</u> : agricultural and single unit residential	\$ 75
<u>Commercial, multi-family, and business</u>	\$100

Utility

Underground construction, grading, trenching or excavation parallel to the drain for up to 400 feet of continuous construction:	\$100
For each 400 feet or part thereof of continuous construction parallel to the drain thereafter	\$ 70

In addition to the above fees for each type of request there shall be collected an additional fee equal to the amount charged by the County Recorder for recording the Encroachment Agreement.

5. **Fill Permit Fees**

The fee for individual fill permit reviews shall be:	\$ 30
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**6. Building Permit Reviews**

The fee for individual building permit reviews shall be: \$ 50

**7. Individual Site Plan Reviews**

The fee for review of each individual site plan for sites disturbing one (1) acre or more, or for individual site plan reviews authorised by the Drainage Board shall be: \$100

**8. Obstruction Petitions**

The filing fee for Obstruction Petitions filed in accordance with Indiana Code 36-9-27.4 shall be: \$150

**9. General Provisions**

A. All filing fees are non-refundable. All monies shall be payable to the Tippecanoe County Treasurer. The County Surveyor's Office shall maintain records of the fees collected hereunder on forms prescribed by the State Board of Accounts. The fees collected hereunder for Outlets, Crossings and Encroachments shall be deposited in the maintenance fund, if any, for the regulated drain affected thereby, and if none, to the General Drain Improvement Fund. The fees collected for Obstruction Petitions shall be deposited in the County General Fund. All other fees collected hereunder shall be deposited in the Phase II Stormwater Fund established pursuant to Resolution 2005-19-CM. No fee shall be required to be paid by any unit of the County for construction, maintenance, or remodeling of any public facility.

B. The fees for Outlets and Crossings include application review, initial inspection, and one (1) re-inspection. The fee for each additional re-inspection shall be equal to two (2) times the initial application fee. After the third re-inspection, the County Surveyor shall order the work necessary for compliance to be done in accordance with Indiana Code 36-9-27-46 and 36-9-27-47.

C. Any person found in violation of any provision of this Ordinance shall be guilty of a civil infraction and be subject to the Enforcement Provisions of the Comprehensive Stormwater Management Ordinance, Ordinance 2005-04-CM, which provisions are incorporated herein by reference, and include fines of not less than \$500 for a first offense, and not less than \$1,000 for each subsequent offense, plus damages, expenses, costs and attorney fees.

D. This Ordinance shall be in full force and effect immediately upon its passage and signing.

Presented to the Board of Commissioners of Tippecanoe County, Indiana, and approved on first reading this 21<sup>st</sup> day of November, 2005, by the following vote:

BOARD OF COMMISSIONERS OF  
TIPPECANOE COUNTY

VOTE

y

KD Benson  
KD Benson, President

y

John Knochel  
John Knochel, Vice President

y

Ruth E. Shedd  
Ruth Shedd, Member

ATTEST:

Robert Plantenga

Robert Plantenga, Auditor of  
Tippecanoe County

Presented to the Board of Commissioners of Tippecanoe County, Indiana, and approved on ~~first~~ <sup>second</sup> reading this 19<sup>th</sup> day of December, 2005, by the following vote:

BOARD OF COMMISSIONERS OF  
TIPPECANOE COUNTY

VOTE

—

KD Benson  
KD Benson, President

—

John Knochel  
John Knochel, Vice President

—

Ruth E. Shedd  
Ruth Shedd, Member

ATTEST:

Robert Plantenga

Robert Plantenga, Auditor of  
Tippecanoe County

Adopted and approved by the Tippecanoe County Drainage Board on first reading this 19<sup>th</sup> day of December, 2005.

TIPPECANOE COUNTY DRAINAGE BOARD

KD Benson  
KD Benson, President

John Knochel  
John Knochel, Vice President

Ruth E. Shedd  
Ruth Shedd, Member

ATTEST: Brenda Harrison  
Secretary

Adopted and approved by the Tippecanoe County Drainage Board on second reading this 19<sup>th</sup> day of December, 2005.

TIPPECANOE COUNTY DRAINAGE BOARD

KD Benson  
KD Benson, President

John Knochel  
John Knochel, Vice President

Ruth E. Shedd  
Ruth Shedd, Member

ATTEST: Brenda Harrison  
Secretary